

STATE LEGAL SNAPSHOT

Ohio

Abortion law, status, and enforcement — one-page reference

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: medium



● Abortion is protected by the state constitution, legal up to 22 weeks (last menstrual period), currently available.

GESTATIONAL LIMIT	22 weeks	✓ AVAILABLE	Yes	✓ MOTHER EXEMPT	Yes	FETAL HOMICIDE LAW	Yes	PERSONHOOD LANGUAGE	Yes
TELEHEALTH	Unclear	WAITING PERIOD	None	✓ RAPE / INCEST EXCEPTION	Yes	PARENTAL INVOLVEMENT	Consent one parent		
SHIELD STATE	No	MEDICAID	Hyde only	CIVIL BOUNTY LAW	No	PENDING CHANGE	See below		

§ Jurisdiction overview

Ohio's constitution protects abortion up to fetal viability (≈22-24 weeks LMP), with post-viability abortion permitted to protect the patient's life or health.

Ohio Const. art. I, § 22 · Preterm-Cleveland v. Yost, 2026-Ohio-23 (1st Dist.)

▣ Fetal personhood & the internal contradiction

Ohio law embodies a profound and explicit internal contradiction on fetal personhood. On one hand, the Revised Code treats the unborn as the equivalent of a person for purposes of homicide (from fertilization, R.C. 2903.09), defines 'unborn child' as a human organism from fertilization (R.C. 2919.16(L)), and defines 'person' for criminal law purposes to include a viable unborn human (R.C. 2901.01(B) (1)(a)(ii)). On the other hand, the very same code sections contain express carve-outs that exempt the pregnant woman and her consenting physician from these definitions: R.C.

Ohio Rev. Code § 2903.09(A) · Ohio Rev. Code § 2903.09(C)(1) · Ohio Rev. Code § 2919.16(L)

MINORS

Ohio requires the informed written consent of one parent, guardian, or custodian for an unemancipated minor's abortion, with a judicial bypass available.

SPOUSAL / PATERNAL RIGHTS

Ohio has no statute requiring spousal or paternal consent or notice before an abortion; any such law would be unconstitutional under Planned Parenthood v. Danforth.

▣ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician — heartbeat ban violation (R.C. 2919.195)	Performing or inducing an abortion after detection of fetal heartbeat	Fifth-degree felony; 6-12 months imprisonment, \$2,500 fine. Enjoined.
Physician — 20-week post-fertilization ban (R.C. 2919.201)	Terminating or attempting to terminate a human pregnancy of a pain-capable unborn child (≥20 weeks post-fertilization)	Fourth-degree felony; 6-18 months imprisonment, \$5,000 fine; mandatory license revocation
Physician — post-viability ban (R.C. 2919.17)	Terminating or attempting to terminate a human pregnancy after viability	Fourth-degree felony; 6-18 months imprisonment, \$5,000 fine; mandatory license revocation
Physician — D and E / dismemberment feticide (R.C. 2919.15)	Knowingly performing or attempting dismemberment abortion	Fourth-degree felony; 6-18 months imprisonment, \$5,000 fine
Physician — D and X / partial birth feticide (R.C. 2919.151)	Knowingly performing partial birth procedure	Second-degree felony; 2-8 years imprisonment, \$15,000 fine

▣ Recent changes

- Mar 2026 Ohio House of Representatives passes HB 347 (SHE WINS Act), which would reinstate a 24-hour waiting period for abortion. The bill moves to the Ohio Senate.

- Jan 2026

Ohio First District Court of Appeals affirms the permanent injunction of the heartbeat ban but reverses and remands the injunction as to ancillary S.B. 23 provisions (Preterm-Cleveland v.
- Jul 2025

Hamilton County Court of Common Pleas grants third preliminary injunction blocking further provisions that could punish APCs for providing medication abortion.
- Oct 2024

Hamilton County Court of Common Pleas permanently strikes down Ohio's six-week heartbeat ban as unconstitutional under Article I, Section 22.
- Aug 2024

Hamilton County Court of Common Pleas grants second preliminary injunction blocking physician-only restriction for APCs and outdated FDA-labeling requirement for medication abortion.
- Aug 2024

Franklin County Court of Common Pleas preliminarily enjoins Ohio's 24-hour waiting period and mandatory in-person counseling as likely unconstitutional.
- Mar 2024

ACLU and Planned Parenthood file Preterm-Cleveland v. Yost (waiting period challenge) in Franklin County, challenging the 24-hour waiting period under the new constitutional amendment.

⌵ Pending changes to watch

Preterm-Cleveland v. Yost (waiting period challenge — Franklin C.P. No. 24 CV 2634)

Litigation · Preliminary injunction in effect since August 23, 2024; discovery ongoing; dispositive motion briefing to conclude by April 17, 2026.

If the court grants a permanent injunction, Ohio's 24-hour waiting period and mandatory counseling will be permanently struck down under the Reproductive Freedom Amendment.

Planned Parenthood Southwest Ohio Region v. Ohio Dept. of Health (medication abortion restrictions)

Litigation · Multiple preliminary injunctions in effect (2021, 2024, 2025); case proceeding on the merits in Hamilton County Court of Common Pleas.

If permanent injunctions are granted, APCs will be permanently authorized to provide medication abortion, telehealth prescribing will remain available, and the FDA-labeling restriction will be permanently struck down.

Preterm-Cleveland v. Yost (ancillary S.B. 23 provisions — on remand)

Litigation · On remand following First District Court of Appeals decision (2026-Ohio-23, Jan.

The trial court will determine the constitutionality of ancillary provisions including reporting requirements, informed consent provisions, and enforcement mechanisms.

⌵ Key authorities

Ohio Reproductive Freedom Amendment

Ohio Const. art. I, § 22

The supreme law governing abortion in Ohio; adopted November 2023, self-executing, protects abortion to viability and post-viability to protect life or health.

Heartbeat ban (permanently enjoined)

Ohio Rev. Code § 2919.195

The 2019 six-week abortion ban; permanently enjoined October 2024 as unconstitutional under the Reproductive Freedom Amendment.

20-week post-fertilization ban

Ohio Rev. Code § 2919.201

Bans abortion at 20 weeks post-fertilization with life/health exceptions; on the books but not separately adjudicated under the new constitutional amendment.

Post-viability abortion ban

Ohio Rev. Code § 2919.17

Bans abortion after viability with life/health exceptions; contains rebuttable presumption of viability at 24 weeks gestational age.

Abortion definition

Ohio Rev. Code § 2919.11

Defines abortion to include the pregnant woman herself; the foundational definition determining the scope of the regulatory framework.

Generated from the structured legal focused deep-research record for OH (research completed 2026-07-12). This snapshot condenses a much larger sourced dataset — full citations, quoted statutory text, and plain-language explanations are in the full Ohio survey. This document has not been reviewed by a lawyer and should not be used as legal advice.